

Application No. 10/009,021

Our Case No. 09793822-0158

REMARKS

Claims 9-20, 29-40, and 49-61 are currently active and under consideration. Claims 7, 8, 19, 20, 27, 28, 39, 40, 47, 48, 54 and 55 have been canceled in order to remove the work of Naoyuki Ueda from the claimed subject matter. New claims 56-61 have been added to claim the electroluminescent structures disclosed in paragraphs [0028] - [0033] of the present application. No new matter has been added.

Claims 9-20, 29-40, and 49-55 were rejected under 35 U.S.C. §102(e) as being anticipated by Tadashi et al., U.S. Patent No. 6,265,088. Applicants submit that, in light of the deletion of claims 7, 8, 19, 20, 27, 28, 39, 40, 47, 48, 54 and 55, the work of Naoyuki Ueda is no longer part of the claimed subject matter. Consequently, the inventions disclosed in Tadashi et al. are by the same inventive entity of the present invention, and Tadashi et al. does no longer qualify as prior art, thus rendering the rejection moot. An amendment removing Mr. Ueda as a named inventor is submitted concurrently herewith.

Claims 9-20, 29-40, and 49-55 were rejected under 35 U.S.C. §102(e) as being anticipated by Ichimura et al., U.S. Patent No. 6,525,212. The rejection was obviated by appropriate amendment removing molecules (15)-2 to (15)-8 and (15)-11 to (15)-12 from the claims. Accordingly, the claimed structure no longer include molecules disclosed by Ichimura et al., thus successfully addressing the rejection.

Claims 9-20, 29-40, and 49-55 were rejected under the judicially created doctrine of obviousness-type double patenting as being not patentably distinct from the subject matter of claims 1-8 of the commonly owned U.S. Patent No. 6,265,088 ('088). It is respectfully submitted that the claims of the present application are patentably distinct from those of '088 in the light of the following:

(a) Claims 9-20 are directed to electroluminescent elements containing organic layers that comprise, inter alia, at least one compound selected from the group consisting of hole transport materials, electron transport materials, and dopants for red light emission. This limitation is supported by the disclosure of the application, for

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instance at paragraphs [0029] to [0033]. The claims of '088 contain no such limitation. Rather, said claims recite the inclusion of the distyryl compounds only;

(b) Claims 29-40 are directed to electroluminescent elements containing, inter alia, a hole blocking layer. This type of layer prevents holes from flowing to the electron transfer layer, thus promoting the recombination of holes and electrons in the luminescent layer, as disclosed in paragraph [0048] of the present application. Also, claims 29-40 recite organic layers comprising, inter alia, at least one hole transporting material or at least one electron transporting material. The claims of '088 do not set forth either of these two limitations;

(c) Claims 49-55 are directed to electroluminescent elements containing, inter alia, a hole blocking layer. As set forth above, the claims of '88 do not recite this limitation;

In view of the differences listed above, claims 9-20, 29-40 and 49-55 are patentably distinct from the claims of '088, and removal of the rejection is respectfully requested.

Claims 9-20, 29-40, and 49-55 were rejected under the judicially created doctrine of obviousness-type double patenting as being not patentably distinct from the subject matter of claims 1-8 of the commonly owned U.S. Patent No. 6,525,212 ('212). Applicants respectfully submit that said claims are directed to styryl compounds, and not to electroluminescent elements containing such compounds. In view of this difference, claims 9-20, 29-40 and 49-5 are patentably distinct from those of '212, and removal of the rejection is respectfully requested.

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In view of the reasons set forth above, passage to allowance and early notice thereof is respectfully requested and earnestly solicited.

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Respectfully submitted,


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REMARKS

In Applicants' September 28, 2004, Response to the March 31, 2004, Office Action claims 7, 8, 19, 20, 27, 28, 39, 40, 47, 48, 54 and 55 were cancelled.

Under 37 C.F.R. § 1.48(b) Applicants acknowledge that due to the deletion of the luminescent device invention, which includes claims 7, 8, 19, 20, 27, 28, 39, 40, 47, 48, 54 and 55, co-inventor Naoyuki Ueda's invention is no longer being claimed in the above-identified application. The processing fee of \$130.00 is required under 37.C.F.R. § 1.17(i) is included in the attached sheets.

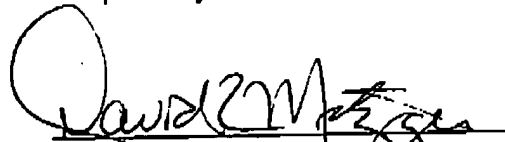
CONCLUSION

In view of the above remarks, Applicants respectfully request amendment to the inventorship on record for the above-identified application and early and favorable notification to that effect.

September 28, 2004

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